

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF SPOKANE COUNTY, WASHINGTON

IN THE MATTER OF AMENDING THE )  
SPOKANE COUNTY SUBDIVISION )  
ORDINANCE TEXT REGARDING )  
ADMINISTRATIVE FINAL PLAT APPROVAL )  
AND HOUSEKEEPING CHANGES TO )  
REFLECT CHANGES IN DEPARTMENT )  
NAMES, COUNTY FILE NO. SO-01-2017 )

**FINDINGS OF FACT AND  
DECISION**

**WHEREAS**, pursuant to the provisions of Chapter 36.70 RCW, the Board of County Commissioners of Spokane County, Washington, hereinafter referred to as the 'Board', has created a Planning Commission, hereinafter referred to as the 'Commission', and a Department of Building and Planning, hereinafter referred to as the 'Department'; and

**WHEREAS**, pursuant to the provisions of Chapter 36.70A RCW, the Board is required to adopt a Comprehensive Plan for the unincorporated areas of Spokane County and may amend the same; and

**WHEREAS**, pursuant to the provisions of Chapters 36.70 and 36.70A RCW, the Commission may make recommendations concerning the adoption of official controls that implement comprehensive plans; and

**WHEREAS**, pursuant to the provisions of RCW Chapter 36.70 and the Subdivision Ordinance for Spokane County, the Commission has the legal authority to recommend to the Board of County Commissioners changes to the Subdivision Ordinance for Spokane County; and

**WHEREAS**, pursuant to the provisions of Chapters 36.70 and 36.70A RCW, the Board on January 18, 2011, under Resolution #2011-0065 last amended the Subdivision Ordinance to implement the goals and policies of the Comprehensive Plan and RCW 58.17, said regulation becoming effective June 1, 2004; and

**WHEREAS**, in November 2017, the Department initiated an amendment to the Subdivision Ordinance that allows final plat approval to be delegated administratively, as well as administer housekeeping changes to reflect changes in department names; and

**WHEREAS**, pursuant to RCW 36.70A.106, notice of intent to adopt the proposed amendments to the subdivision ordinance was sent to the Washington State Department of Commerce on October 17, 2017; and

**WHEREAS**, pursuant to the State Environmental Policy Act (SEPA) and WAC 197-11, a Determination of Nonsignificance (DNS) for a non-project action was issued on November 1, 2017 for the proposed amendment; and

**WHEREAS**, pursuant to WAC 197-11-340(2), the Department provided a 14-day comment period for the Determination of Nonsignificance (DNS) issued on the proposed amendment with the appeal and comment period ending November 15, 2017. No appeal of the environmental determination was received; and

**WHEREAS**, after meeting requirements for public notice and environmental review, as detailed in the Staff Report to the Commission dated November 16, 2017, the Commission held a public hearing on November 16, 2017 for the proposed amendment to the Subdivision Ordinance text, as provided for herein; and

**WHEREAS**, during the Public Hearing on November 16, 2017, the Commission considered public testimony, agency comments and the Building and Planning Department staff report; and

**WHEREAS**, on November 16, 2017, the Commission deliberated and voted unanimously to recommend approval of the proposed amendment as presented in Attachment "A", and also directed staff to prepare formal Findings of Fact and Recommendation of such decision; and

**WHEREAS**, on November 16, 2017, the Commission adopted its formal Findings of Fact and Recommendation recommending approval of the proposed text amendment; and

**WHEREAS**, the Board received the Commission's recommendation regarding the proposed amendment on December 5, 2017. The Board considered the Commission's recommendation on December 12, 2017 at the Board's regular public meeting; and

**WHEREAS**, on December 12, 2017 the Board voted to adopt the Commission's recommendation in full, as specified in Attachment 'A'; and

**WHEREAS**, the Board, after considering the recommendation of the Commission and after reviewing the Findings of Fact, determines the best interests of the public will be met by the Board's approval of the proposed text amendment to the Subdivision Ordinance of Spokane County as recommended by the Commission; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board after considering all of the above, approves the proposed amendment to the Subdivision Ordinance, as recommended by the Commission, and enters the following Findings of Fact.

## FINDINGS OF FACT

### #1

Spokane County has provided for timely public participation in consideration of the proposed amendment consistent with RCW 36.70A.140, WAC 365-195-600 and the adopted Public Participation Program Guidelines (BoCC Resolutions 98-0144 and 98-0788), Public Participation for the proposed amendment included:

- Posting of proposal and other information on the County's website.
- Legal notice published in the Legal Notice section of the Spokesman Review on November 1, 2017.
- Notice of public hearing was circulated to parties on a Building and Planning Department-maintained mailing list of individuals, organizations, and agencies interested in receiving notice of proposed Subdivision Ordinance Amendments.
- Public hearing on November 16, 2017.

### #2

During public testimony, one citizen favored with the proposed ordinance, while one citizen opposed the proposed ordinance, requesting that the hearing examiner approve final plats.

### #3

The Board acknowledges and concurs with the State Environmental Policy Act Determination of Nonsignificance (DNS) issued by the Department on November 1, 2017, with respect to the text amendment to the Subdivision Ordinance.

### #4

The Board concurs with the attached Findings of Fact, Conclusion and Recommendations of the Commission dated November 16, 2017.

### #5

Pursuant to the provisions of RCW Chapter 36.70A the proposed amendment, is consistent with the goals and policies of the Spokane County Comprehensive Plan.

**BE IT FURTHER RESOLVED** that the Board does hereby adopt the recommendation of the Spokane County Planning Commission with respect to the Subdivision Ordinance of Spokane County and approves the proposed text amendment included in the Commission's recommendation as attached hereto and incorporated herein.

**BE IT FURTHER RESOLVED** that the Clerk of the Board is directed to publish a notice of adoption pursuant to RCW 36.70A.290 (2)(b).

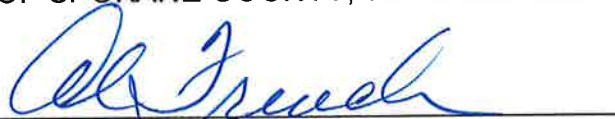
**BE IT FURTHER RESOLVED** that the Clerk of the Board is directed to send a copy of the revision to the Subdivision Ordinance as contained herein to the Washington State Department of Commerce pursuant to RCW 36.70A.106 within 10 days of adoption.

**BE IT FURTHER RESOLVED** that the Board makes part of these findings and decision all files in the Department of Building and Planning, Planning Commission, and the Board of County Commissioners along with the tapes, documents and files of all public hearings related to this matter and further adopts all recitals herein as findings of fact.

**ADOPTED** by the Board of County Commissioners of Spokane County, Washington this 16th day of January, 2018.

BOARD OF COUNTY COMMISSIONERS  
OF SPOKANE COUNTY, WASHINGTON



  
AL FRENCH, Chair

  
JOSH KERNS, Vice-Chair

ATTEST:

  
Ginna Vasquez, Clerk of the Board

  
MARY KUNEY, Commissioner

**Attachment 'A'**

**SUBDIVISION ORDINANCE**

**of**

**SPOKANE COUNTY, WASHINGTON**

**SPOKANE COUNTY PUBLIC WORKS DEPARTMENT**  
**SPOKANE COUNTY DEPARTMENT OF BUILDING & PLANNING DIVISION**  
1026 WEST BROADWAY AVENUE  
SPOKANE, WASHINGTON 99260

*DATE OF ADOPTION: December 17, 1996*

*EFFECTIVE DATE: January 1, 1997*

*AMENDED: June 3, 2003, Resolution 2003-0522*

*AMENDED: March 16, 2010, Resolution 2010-0261*

*AMENDED: January 18, 2011, Resolution 2011-0065*

*AMENDED: 2016, Resolution 2016-0225*

*AMENDED: 2017, Resolution \_\_\_\_\_*

*RESPONSIBLE OFFICIAL: BOARD OF SPOKANE COUNTY COMMISSIONERS*

*October ~~2016~~ 2017 printing*



## TABLE OF CONTENTS

<b>12.100 INTRODUCTION</b>	
12.100.102 Purpose and Intent.....	1
12.100.104 Applicability.....	1
12.100.106 Administration.....	1
12.100.108 Building Permit Issuance Prior to Finalization.....	1
12.100.110 Exemptions.....	2
12.100.112 Certificates of Exemption.....	3
12.100.114 Complete Applications.....	3
12.100.116 Expiration of Approval.....	3
12.100.118 Extensions of Time.....	3
12.100.120 Modifications.....	4
12.100.122 Alterations.....	5
12.100.124 Phasing.....	5
12.100.126 Appeals.....	5
12.100.128 Fees.....	6
12.100.130 Enforcement.....	6
12.100.132 Severability.....	6
12.100.134 Effective Date.....	6
12.100.136 Adoption.....	6
<b>12.200 DEFINITIONS</b>	
12.200.102 Usage.....	7
12.200.104 Definitions.....	7
<b>12.300 SHORT SUBDIVISIONS</b>	
12.300.102 General Provisions.....	11
12.300.104 Application.....	11
12.300.106 Contents of Preliminary Short Plat.....	11
12.300.108 Distribution of Preliminary Short Plats.....	12
12.300.110 Agency Review.....	12
12.300.112 Public Notice.....	12
12.300.114 Public Use and Interest.....	12
12.300.116 Conformity with Applicable Land Use Controls.....	13
12.300.118 Preliminary Approval.....	13
12.300.120 General Design.....	13
12.300.122 Roads.....	13
12.300.123 Urban Connectivity Design.....	14
12.300.124 Sewage Disposal.....	14
12.300.126 Water Supply.....	15
12.300.128 Stormwater Runoff.....	15
12.300.130 Utilities.....	15
12.300.132 Professional Land Surveyor.....	15
12.300.134 Mapping Requirements.....	15
12.300.136 Monumentation.....	16
12.300.138 Final Short Plat Submittal.....	16
12.300.140 Contents of Final Short Plat.....	16
12.300.142 Filing.....	17



**12.400 SUBDIVISIONS**

12.400.102 General Provisions..... 18  
12.400.104 Application..... 18  
12.400.106 Contents of Preliminary Plat ..... 18  
12.400.108 Distribution of Preliminary Plats ..... 19  
12.400.110 Agency Review ..... 19  
12.400.112 Public Notice ..... 19  
12.400.114 Public Hearing..... 20  
12.400.116 Public Use and Interest..... 20  
12.400.118 Conformity with Applicable Land Use Controls..... 20  
12.400.120 Preliminary Approval..... 20  
12.400.122 General Design ..... 20  
12.400.123 Urban Connectivity Design ..... 21  
12.400.124 Roads..... 21  
12.400.126 Sewage Disposal ..... 22  
12.400.128 Water Supply..... 22  
12.400.130 Stormwater Runoff..... 22  
12.400.132 Utilities..... 22  
12.400.134 Professional Land Surveyor..... 22  
12.400.136 Mapping Requirements..... 22  
12.400.138 Monumentation ..... 23  
12.400.140 Final Plat Submittal..... 23  
12.400.142 Contents of Final Plat..... 23  
12.400.144 Filing..... 24

**12.500 BINDING SITE PLANS**

12.500.102 General Provisions..... 25  
12.500.104 Application..... 25  
12.500.106 Contents of Preliminary Binding Site Plan ..... 25  
12.500.108 Distribution of Preliminary Binding Site Plans..... 26  
12.500.110 Agency Review ..... 26  
12.500.112 Public Notice ..... 26  
12.500.114 Public Use and Interest..... 26  
12.500.116 Conformity with Applicable Land Use Controls..... 26  
12.500.118 Preliminary Approval..... 26  
12.500.120 General Design ..... 27  
12.500.122 Roads..... 27  
12.500.124 Sewage Disposal ..... 27  
12.500.126 Water Supply..... 27  
12.500.128 Stormwater Runoff..... 27  
12.500.130 Utilities..... 28  
12.500.132 Professional Land Surveyor..... 28  
12.500.134 Mapping Requirements..... 28  
12.500.136 Monumentation ..... 28  
12.500.138 Record of Survey ..... 29  
12.500.140 Final Binding Site Plan Submittal..... 29  
12.500.142 Contents of Final Binding Site Plan ..... 30  
12.500.144 Filing..... 30

**12.600 LARGE LOT DIVISIONS**

12.600.102 General Provisions..... 32  
12.600.104 Application..... 32  
12.600.106 Contents of Preliminary Large Lot Subdivision..... 32  
12.600.108 Distribution of Large Lot Subdivision ..... 33  
12.600.110 Agency Review ..... 33  
12.600.112 Public Notice ..... 33

**12.600 LARGE LOT DIVISIONS**

12.600.114 Public Hearing.....	33
12.600.116 Public Use and Interest.....	34
12.600.118 Conformity with Applicable Land Use Controls.....	34
12.600.120 Preliminary Approval.....	34
12.600.122 General Design.....	34
12.600.124 Roads.....	34
12.600.126 Sewage Disposal.....	35
12.600.128 Water Supply.....	35
12.600.130 Stormwater Runoff.....	35
12.600.132 Utilities.....	35
12.600.134 Professional Land Surveyor.....	35
12.600.136 Mapping Requirements.....	35
12.600.138 Monumentation.....	36
12.600.140 Final Large Lot Subdivision Submittal.....	36
12.600.142 Contents of Final Plat.....	36
12.600.144 Filing.....	37



## 12.100 - INTRODUCTION

### **12.100.102 Purpose and Intent**

In addition to those purposes set forth in chapter 58.17 Revised Code of Washington (RCW), the following purposes are also essential to the regulation of the subdivision of land within the unincorporated areas of Spokane County.

- 1) To prescribe procedures for the subdivision of land in accordance with officially adopted plans, policies, and standards, including the provisions of the Spokane County Zoning Code and Spokane County Comprehensive Plan; and
- 2) To provide for consistent and efficient processing of applications without undue delay; and
- 3) To provide uniform standards and regulations for the division of land; and
- 4) To promote effective use of land consistent with environmentally sensitive development practices; and
- 5) To implement State Environmental Policy Act chapter 43.21C RCW, and WAC 197-11; and
- 6) To require uniform monumentation of land subdivisions and conveyancing by accurate legal descriptions; and
- 7) To promote uniform and consistent addressing of parcels of land countywide.

### **12.100.104 Applicability**

This ordinance shall apply to all divisions of land, subdivisions, short subdivisions, binding site plans, and large lot divisions hereafter established in the unincorporated areas of Spokane County.

### **12.100.106 Administration**

The administration of this ordinance lies with the Director of the ~~Department Division~~ of Building and Planning, hereinafter referred to as the "Director". It is the purpose of these regulations to grant to the Director or his/her designee, the Hearing Examiner, or Board of County Commissioners, the authority to approve, approve with conditions, or deny any land use action prescribed in this ordinance.

It is recognized that not all possible variations of requirements or processes which are required to administer this ordinance can be listed or categorized. Any interpretation, administrative policies, or procedures which the Director deems essential for the effective administration of this ordinance shall be adopted by the Director and shall be made available to the public upon request.

### **12.100.108 Building Permit Issuance Prior to Finalization**

A single building permit may be issued on land which is located within the boundaries of a preliminary plat, short plat, binding site plan or large lot division provided:

- 1) The site does not contain any structures which are being used primarily for residential uses; and
- 2) The building permit application illustrates the boundary of the preliminary plat, short plat, or binding site plan; the location of the structure for which a permit is requested; and the lot dimensions of the lot which the permit is being requested on; and
- 3) The building site has access which meets fire district requirements; and
- 4) The lot corners are established; and
- 5) The structure meets all required setbacks as if the lot were platted; and
- 6) All state and local land development laws and regulations were met at the time the lot was created or can be met prior to the issuance of the building permit.

## **12.100.110 Exemptions**

The provisions of this ordinance shall not apply to:

- 1) a. Cemeteries and other burial plots while being used for that purpose;  
b. Divisions made by testamentary provisions, and the laws of descent;  
c. Divisions of land into lots or tracts, each of which is one thirty-second (1/32) of a section of land or larger, or twenty (20) acres or larger if the land is not capable of description as a fraction of a section of land;  
d. A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site.
- 2) A division of land between five (5) and twenty (20) acres in size, prior to January 16, 1996, provided that:
  - a. a tax segregation request was received by Spokane County Assessor's office prior to said date; or
  - b. a record of survey pertaining to said division was filed with the Spokane County Auditor prior to said date; and
  - c. all state and local land development regulations were met at the time the lot was created or can be met prior to the issuance of a building permit.
- 3) Those divisions of land which are ten (10) acres or greater and are consistent with either i, ii, or iii below, provided that:
  - a. a record of survey for the property has been recorded with the Spokane County Auditor prior to the issuance of the certificate of exemption; and
  - b. where the subject parcel(s) front(s) or access(es) on a county established and fully maintained road, a valid Road Improvement District (RID) agreement pertaining to improvements to the county road is on file prior to the issuance of the certificate of exemption.
    - i. The parcel is adjacent to, and has frontage which meets or exceeds the minimum frontage required in the underlying zone classification, on an established and fully maintained public road; or
    - ii. The parcel is adjacent to, and has frontage which meets or exceeds the minimum frontage required in the underlying zone classification, and is on a constructed private road which meets Spokane County Standards for Road and Sewer Construction, adopted May 15, 1995 (and as amended) and connects directly to an established and fully maintained county road; or
    - iii. The division of land contains no more than three (3) lots, ten (10) acres or greater in size, with one or all of the lots served by a recorded private driveway easement, and provided the driveway originates at an established and fully maintained county road, and one of the lots has the required frontage of the underlying zone classification on an established and fully maintained public road.
- 4) A division of land into lots or tracts, of a size consistent with the minimum lot size of the underlying zone classification, but no less than five (5) acres in size, for the purpose of transferring a separate tract of land to a spouse, son, daughter, mother, father, brother, sister, or grandchild; provided, that no further subdivision of land so transferred may be made without complying with the provisions of this ordinance, and further provided that ownership of the property under consideration has not changed within the previous five (5) years, and will not transfer within the subsequent five (5) year period. A legal instrument executing such

conveyance shall be submitted with the application for this exemption. A record of survey of the land being divided shall also be submitted with the application.

- 5) A division of land prior to March 13, 1978, provided that;
  - a. a tax segregation request was received by the Spokane County Assessor's office prior to said date; or
  - b. a legal instrument(s) pertaining to said division were filed of record prior to said date; and
  - c. all state and local land development regulations were met at the time the lot was created or can be met prior to the issuance of a building permit.
- 6) The Director may approve government or public purpose segregations as defined under chapter 12.100 of this ordinance, provided that;
  - a. an application is submitted; and
  - b. the segregation includes a provision in the instrument of transfer that "The subject property was created for (list purpose) under section 12.100.110 of the Spokane County Subdivision Ordinance."

#### **12.100.112 Certificates of Exemption**

A certificate of exemption shall be obtained from the ~~Division~~ Department for those exemptions in section 12.100.110 above. Any person considering himself/herself exempt thereunder shall apply for a certificate of exemption, which includes a minimum review for conformance to adopted county regulations and ordinances.

Complete certificate of exemption applications shall be processed by the Director and shall be approved or denied within five (5) working days following the submittal of a complete application and the payment of application fees.

Certificates of exemption shall run with the parcel of land described in the certificate, not the owner, therefore the certificate is transferable from owner to owner.

#### **12.100.114 Complete Applications**

An application is required for all actions administered by this ordinance. An application shall be determined to be complete upon the applicant's submittal of an application, maps and exhibits required in the applicable chapter of this ordinance, and the payment of fees required in conjunction with the processing of an application.

#### **12.100.116 Expiration of Approval**

Approval of preliminary subdivisions, large lot subdivisions, short subdivisions, and binding site plans shall automatically expire five (5) years after preliminary approval is granted except that preliminary approval of subdivisions, large lot subdivisions and short subdivisions that occurs prior to December 31, 2014 shall automatically expire seven (7) years after preliminary approval is granted. A time extension may be applied for under the provisions of chapter 12.100 of this ordinance. If a request for an extension of time is not submitted and approved, the preliminary approval expires and the subdivision, short subdivision, or binding site plan is null and void.

#### **12.100.118 Extensions of Time**

An application form and supporting data for time extension requests must be submitted to the Director at least thirty (30) days prior to the expiration of the preliminary plat, short plat, or binding site plan.

The Director may administratively approve an extension provided there are no significant changed conditions which would render filing of the plat or binding site plan contrary to the public health, safety or general welfare, and further provided one or more of the following circumstances is found to apply.

- 1) That some portion of the existing preliminary subdivision or binding site plan has been finalized since the project was approved and the remaining lots would form a unified development consistent with the original approval;
- 2) That the preliminary subdivision, short subdivision, or binding site plan remains generally consistent with original plat or binding site plan that was approved, and the sponsor has taken substantial steps toward finalizing the plat or binding site plan, which shall include one, but is not limited to, the following:
  - a. surveying the lots within the development;
  - b. arranging for public services to the site;
  - c. obtaining necessary financing for all or a portion of the preliminary subdivision, short subdivision, or binding site plan;
  - d. the completion of studies or other requirements which were part of preliminary subdivision, short subdivision, or binding site plan approval;
- 3) That at the time preliminary approval was granted development of the proposal was conditioned upon the extension of public services which are not yet available. This provision shall not apply to public utility extensions which the project sponsor would normally fund.
- 4) That administrative delays have caused the inability of the applicant to finalize the plat within the five (5) year time period.

Provided one of the above circumstances is found to apply, the Director may grant one three (3) year time extension that may include any additional or altered conditions and requirements recommended by affected agencies. Any time extension granted as a result of administrative delays are not subject to additional or altered conditions and requirements. Additional one (1) year time extensions may be granted by the Director beyond the initial three (3) year extension. Prior to granting time extensions, the Director shall circulate the time extension request to affected agencies for comments.

The Director shall issue a written decision approving or denying the time extension request and provide copies to affected agencies, the applicant, and those parties requesting a copy of such decision. Appeals of a time extension shall be filed consistent with the provisions of section 12.100.126 of this chapter.

#### **12.100.120 Modifications**

Any request for a proposed modification to a preliminary subdivision, preliminary short subdivision, or preliminary binding site plan which has received preliminary approval shall be submitted to the Department Division.

Any proposed modification which would amend conditions established administratively shall be circulated to affected agencies for review and comment. An amended decision or amended conditions of approval may be required based on comments received from affected agencies.

The Director may waive formal processing if it is determined that the proposed modification would not have a substantial impact on adjacent properties, or conditions of approval. This process shall not apply to amending site plans or conditions thereof established by a hearing body that would constitute a "change of condition."

Any proposed modification which would significantly amend conditions established by a hearing body shall be processed as a "change of conditions" request to the hearing body.

#### **12.100.122 Alterations**

An application shall be submitted for any proposed alteration to a final plat or final short plat.

Upon receipt of an application for an alteration, the Director shall provide notice of the application to all owners of property within the subdivision, by publication in the county's official newspaper, and to those owners of property within four hundred (400) feet of that portion of the plat proposed for alteration.

A public hearing is not required for a plat alteration unless requested by a person receiving notice within fourteen (14) days of receipt of the notice.

Alterations to final plats and final short plats may be approved by the Hearing Examiner if the Hearing Examiner determines that the public use and interest will be served by the alteration.

Following approval of an alteration, the applicant shall produce a revised drawing of the approved alteration of the final plat or final short plat, which shall be signed by the legislative authority and filed with the County Auditor to become the lawful plat or short plat of the property.

#### **12.100.124 Phasing**

- 1) Any subdivision or binding site plan may be developed in phases or increments. Phasing of short plats is not permitted. A master phasing plan shall be submitted with the preliminary plat or binding site plan for approval by the Director. The phasing plan may be approved by the Director provided:
  - a. The phasing plan includes all land identified within the legal notice; and
  - b. The sequence of phased development is identified by a map; and
  - c. Each phase has reasonable public or private infrastructure to support the number of dwelling units contained in that phase; and
  - d. Each phase constitutes an independent planning unit with facilities, adequate circulation, and any requirements established for the entire subdivision; and provided that any unfinalized portion meets the minimum lot size of the underlying zone for the proposed use; and
  - e. The County ~~Engineer~~ Director of Public Works approves the necessary documents so that all road improvement requirements are assured for that phase.
- 2) A phasing plan may be amended following preliminary approval. Said plan may be approved administratively provided the above criteria are met.

#### **12.100.126 Appeals**

Any administrative decision of the ~~Department Division~~ may be appealed to the Spokane County Hearing Examiner by filing an appeal and paying the appropriate fee to the ~~Department Division~~ within fourteen (14) calendar days from the date of the decision or action. If the appeal period ends on a weekend or holiday, the appeal period shall be extended to the close of business on the next working day. Upon receipt of an appeal, the Director shall schedule a hearing before the Hearing Examiner on the next available hearing date. All appeals shall state with particularity the decision or action appealed. All appeals to the Hearing Examiner shall be conducted in the manner set forth in the Hearing Examiner Ordinance. Decisions of the Hearing Examiner may be appealed pursuant to the Hearing Examiner Ordinance. Notice of appeal hearings shall be provided in accordance with Procedural Administrative Rules to Implement ESHB-1724 adopted by the Board of County Commissioners.



**12.100.128 Fees**

All applications shall be accompanied by the required fee. Fees for the administration of this ordinance shall be established by the Board of County Commissioners.

**12.100.130 Enforcement**

Any sale, lease, or transfer of any lot or parcel created pursuant to this ordinance that does not conform to the requirements of the subdivision, short subdivision, binding site plan, large lot division, or that occurs without approval, shall be considered a violation of chapter 58.17 RCW, and shall be restrained by injunctive action and shall be illegal, as provided in chapter 58.17 RCW. Each sale, lease, or transfer of each separate lot or parcel of land in violation of any provision of this ordinance shall be deemed a separate and distinct offense. The Prosecuting Attorney and Spokane County may employ the enforcement mechanisms for subdivision violations under chapter 58.17 RCW.

**12.100.132 Severability**

If any provision of this ordinance or its application to any person or circumstances is held invalid, the remainder of this ordinance, or the application of the provision to other persons or circumstances shall not be affected.

**12.100.134 Effective Date**

This ordinance shall become effective January 1, 1997.

**12.100.136 Adoption**

Adopted by the Board of County Commissioners this 17<sup>th</sup> day of December, 1996.

## 12.200 - DEFINITIONS

### 12.200.102 Usage

In addition to the definitions included in chapter 58.17.020 RCW, the following words and phrases shall be given the meaning attributed to them by this chapter. When consistent within the context of a sentence, words used in the present tense include the future; singular includes the plural, and the plural includes the singular; the word "shall" is always mandatory; the word "may" is permissive; and the word "should" indicates that which is recommended, but not required.

### 12.200.104 Definitions

ADMINISTRATIVE DELAYS: an administrative delay shall include actions taken by county, state, or federal officials that cause the applicant to not be able to complete the platting process as a result of non-action by a reviewing/commenting agency.

ALLEY: a strip of land providing vehicular and pedestrian access to the rear and/or side of properties which abut and have access to a road.

ARCHAEOLOGICAL AND HISTORICAL AREAS: See Cultural Resources.

BINDING SITE PLAN: "Binding Site Plan" shall mean a drawing to scale which: (a) identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by this ordinance; (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land; and (c) contains provisions making any development be in conformity with the site plan.

BLOCK: a group of lots, tracts or parcels within well defined and fixed boundaries.

BOARD: the Board of County Commissioners of Spokane County.

BOND: a satisfactory security to insure performance and/or warranty.

BUILDING SETBACK LINE: a line established as the minimum distance a building may be located from any property line or the centerline of the street as determined by the standards of the Spokane County Zoning Code.

CERTIFICATE OF EXEMPTION: a document issued by the Department Division which formally exempts a division of land from full compliance with certain state and local land development laws and regulations as identified in the exemption provisions of this Ordinance.

COMPREHENSIVE PLAN: The Spokane County Generalized Comprehensive Plan is the official document adopted by the Board of County Commissioners as a guide for decisions relating to future physical development and public resources. It applies to all of the unincorporated areas of Spokane County.

COMPREHENSIVE WASTEWATER MANAGEMENT PLAN: the governing documents for the operation and planning of sewer facilities and service areas within the unincorporated areas of Spokane County.

COORDINATED WATER SYSTEM PLAN: a plan for public water systems within a critical water supply service area which shall be an element of the Comprehensive Plan established by the County.

CRITICAL AREAS: areas as defined in the Spokane County Critical Areas Ordinance

CULTURAL RESOURCES: those buildings, structures, objects, sites or districts which have been proposed or identified as either archaeological sites and historic and/or architectural properties by the City/County Historic Preservation Office or by the Spokane County Historic Inventory.

DEDICATION: the deliberate appropriation of land by an owner for any general and public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat or short plat showing the dedication thereon; and the acceptance by the public shall be evidenced by the approval of such plat for filing by Spokane County.

DEDICATORY STATEMENT: a statement or illustration on the final plat or binding site plan of those conditions and restrictions required to appear on the face of the final plat or binding site plan as a condition of preliminary plat or binding site plan approval.

DEPARTMENT: the Spokane County Department of Building and Planning.

DIRECTOR: the Director of the Spokane County ~~Division~~ Department of Building and Planning or his/her designee.

DIVISION: ~~the Spokane County Division of Building and Planning, a Division of Spokane County Public Works.~~

EASEMENT: a grant by a property owner to specific persons or to the public to use land for a specific purpose or purposes.

ENGINEER (PROFESSIONAL): a civil engineer licensed by the State of Washington.

FINAL PLAT/SHORT PLAT: the final drawing of the subdivision and dedication prepared for filing for record with the County Auditor and containing all elements and requirements set forth in state law and this Ordinance.

HEARING EXAMINER: An individual(s) who has been specifically delegated the roles and responsibilities as set forth in the Hearing Examiner Ordinance.

IMPROVEMENT: any structure or work constructed including but not necessarily limited to roads; alleys; storm drainage systems and ditches and dikes; sanitary sewage facilities or main lines, and storm drainage containment facilities; and all other subgrade utility services such as phone, gas and water.

LAND SURVEYOR (PROFESSIONAL): any person who is registered with the State of Washington as a licensed land surveyor.

LARGE LOT SHORT SUBDIVISION: the division or re-division of land into four (4) or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or ownership transfer, the smallest of which is at least one-hundred twenty-eighth (1/128) of a section, or five (5) acres if the land is not capable of description as a fraction of a section of land.

**LARGE LOT SUBDIVISION:** the division or re-division of land into five (5) or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or ownership transfer, the smallest of which is at least one-hundred twenty-eighth (1/128) of a section, or five (5) acres if the land is not capable of designation as a fraction of a section of land.

**LOT (legal):** a fractional part of divided lands having fixed boundaries, being of sufficient area, frontage and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels.

**OFFICIAL ROAD MAP:** the adopted map on which the planned locations of roads (streets) are indicated which shall be an element of the Comprehensive Plan established by the County.

**ORDINARY HIGH WATER MARK:** the mark on all lakes, streams or water bodies that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in normal years, as to mark upon the soil a character distinct from that of the abutting upland in respect to vegetation.

**OWNERSHIP INTEREST:** having property rights as a fee owner, contract purchaser, mortgagee, or deed of trust beneficiary or grantor.

**PLANNING COMMISSION:** the body as defined in chapters 36.70, 35.63 or 35A.63 RCW as designated by the legislative body to perform a planning function or that body assigned such duties and responsibilities under a city or county chapter.

**PLAT:** is a map or representation of a subdivision showing thereon the division of tract or parcel of land into lots, blocks, streets and alleys or other divisions and dedications.

**PLAT CERTIFICATE:** a title report prepared by a title company for the property contained in a proposed subdivision or short subdivision, to include, as a minimum, all owners of record, easements and encumbrances effecting said property.

**PRELIMINARY PLAT/SHORT PLAT/LARGE LOT PLAT:** is a neat and approximate drawing of either a proposed subdivision or short subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision consistent with the requirements of this ordinance. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.

**PUBLIC PURPOSE SEGREGATION:** a division made for the purpose of creating a portion of property to be deeded to the county, any city, taxing district, governmental body, utility company or non profit community organization or foundation (whose articles or bylaws allow it to hold land for public use and benefit) for a designated use provided the remaining portion of property has sufficient lot area, dimensions and meets all other criteria to comply with the applicable county regulations, for the intended purpose of segregation. Public purpose segregations may include deeded paths, trails and rights-of-way for public access purposes; if a deeded path, trail or right-of-way traverses a parcel, such path shall be considered an exception to the underlying parcel and shall not be considered a division of the underlying parcel nor subtract from the parcel size for density purpose.

**ROAD (STREET), PUBLIC:** a public thoroughfare which has been dedicated or deeded to the public to be used for street purposes and which has been improved, established and is maintained by the Spokane County Public Works Department

~~Division of Engineering and Roads~~ or other governmental agency or for which reasonable assurances have been provided to the County to guarantee the street will be improved to Spokane County Standards for establishment as a County Road. Also included in this definition are city streets, state highways and other state-controlled roadways.

ROAD, (STREET), PRIVATE: a recorded easement for ingress and egress or a platted street designated as a private thoroughfare for access of abutting property but for which the County assumes no responsibility of ownership or maintenance. A private thoroughfare not recorded with the County Auditor shall not be considered a road.

SHORT PLAT: the map or representation of a short subdivision.

SHORT SUBDIVISION: the division or redivision of land into four (4) or fewer lots, tracts, parcels, sites or divisions outside of the Urban Growth Area boundary, or nine or fewer lots, tracts, parcels, sites, or divisions inside of the Urban Growth Area boundary, for the purpose of sale, lease or transfer of ownership.

STATE ENVIRONMENTAL POLICY ACT: (SEPA) The State Environmental Policy Act is as defined by chapter 43.21C RCW as it now exists or is hereafter amended.

SPOKANE COUNTY ENVIRONMENTAL ORDINANCE: (SCEO) The Spokane County Environmental Ordinance is as defined by Title 2, Spokane County Code as it now exists or is hereafter amended.

SPOKANE REGIONAL HEALTH DISTRICT: Spokane Regional Health District is as defined by chapter 70.08 RCW, as it now exists or is hereafter amended.

SUBDIVIDER: a person who undertakes to create a subdivision.

SUBDIVISION: a division or redivision of land into five (5) or more lots, tracts, parcels, sites or divisions outside of the Urban Growth Area boundary, or ten or more lots, tracts, parcels, sites, or divisions inside of the Urban Growth Area boundary, for the purpose of sale, lease, or transfer of ownership.

TITLE NOTICE: a written notice attached to the title of a parcel of land by Spokane County with a recording of said notice at Spokane County Auditor's Office per a legal description of said parcel for the purpose of notifying the property owner or future property owner of particular circumstances related to said parcel such as warning statement(s), limitation(s), restriction(s) or other.

WATER GENERAL PLAN: a plan for a system of water for the County which shall be an element of the Comprehensive Plan established by the County.

## 12.300 - SHORT SUBDIVISIONS

### **12.300.102 General Provisions**

The purpose of this chapter is to provide a process to divide land into four (4) or fewer lots, tracts, parcels, sites or divisions outside of the Urban Growth Area boundary, or nine or fewer lots, tracts, parcels, sites, or divisions inside of the Urban Growth Area boundary, with a level of review that is proportional to the effect those lots may have on the surrounding area.

Any person seeking to divide or redivide land situated within the unincorporated areas of Spokane County into four (4) or fewer tracts outside of the Urban Growth Area boundary, or nine or fewer tracts inside of the Urban Growth Area boundary, for the purpose of sale, lease or transfer of ownership, unless exempted under the provisions of chapter 12.100 of this ordinance, shall submit an application for approval of a short subdivision to the Director together with the appropriate application fee.

Land within a short subdivision may not be further divided in any manner within a five-year period immediately following filing of a short plat unless such division is approved in accordance with the provisions of chapter 12.400 of this ordinance, except that when the short plat contains fewer than four or nine parcels, as applicable, nothing in this ordinance shall prevent the owner who filed the short plat from filing an alteration within the five-year period to create up to a total of four or nine lots, as applicable, within the original short plat boundaries. Alterations to create additional lots shall be processed under the provisions of chapter 12.100 of this ordinance.

### **12.300.104 Application**

Prior to filing an application with the ~~Department Division~~, the applicant should have a preconference with the Director to obtain application forms and receive general information regarding the short plat process. Following the preconference, the applicant may submit a preliminary short plat application for review by the ~~Department Division~~ and appropriate agencies.

### **12.300.106 Contents of Preliminary Short Plat**

Every preliminary short plat application shall consist of the preliminary short plat, applicable fees, and the following:

- 1) Maps/Exhibits:
  - a. A minimum of nine (9) copies of the preliminary short plat which shall be a legibly drawn map, eighteen (18) by twenty-four (24) inches in size, and with a scale of 1"=50' or 1"=100'. If approved by the Director, an appropriate scale may be used which does not exceed 1"=200'.
  - b. One (1) reduced copy of the preliminary short plat
  - c. Two (2) copies of the Spokane County Assessor's map showing the location of and the existing parcel number of all abutting properties. The approximate location of the subject property shall be clearly marked.
  - d. One (1) copy of Spokane County ~~Public Works Director's Engineer's~~ section map showing the proposed subdivision. The approximate location of the subject property shall be clearly marked.
  - e. Environmental Checklist, if the division of land is not exempt under the Spokane Environmental Ordinance
  - f. Legal description of the property with the source of the legal description clearly indicated
  - g. Public notice packet
- 2) Preliminary Short Plat Data: (to be illustrated on the preliminary short plat)

- a. Name, address and telephone number of the owner and the person with whom official contact should be made regarding the short plat
- b. Location of the site by section, township, range
- c. A statement covering the number of lots, proposed use of lots, method of domestic water supply, sanitary disposal of sewage
- d. Vicinity map which shall indicate the property to be subdivided
- e. North arrow, scale, and the boundary of the proposed short plat
- f. Approximate boundaries of all blocks, the designation of lots, lot lines, and dimensions
- g. The location, names and widths of all existing and proposed streets, roads, and access easements within the proposed short plat and within 100 feet thereof, or the nearest county road, if there is no county road within 100 feet thereof
- h. All existing or proposed easements or divisions proposed to be dedicated for any public purpose or for the common use of the property owners of the short plat
- i. Approximate location of any natural features such as wooded areas, streams, drainage ways, and critical areas as defined in the Critical Areas Ordinance
- j. Approximate location of existing buildings, septic tanks, drainfields, wells or other improvements (indicate if they will remain or be removed)
- k. Conditions of adjacent property, platted or unplatted, and if platted, giving the name of the subdivision. If the proposed short plat is the subdivision of a portion of an existing plat, the approximate lines of the existing plat are to be shown and a copy of the existing plat, along with any and all recorded covenants and easements.
- l. Topographic information at 10 foot intervals, if any slopes exceed 10%. Any topographic information which needs to be measured or collected must be collected by, or under the direction of a professional land surveyor.

#### **12.300.108 Distribution of Preliminary Short Plats**

If the Director determines that the application is complete and that the preliminary short plat contains sufficient elements and data to furnish a basis for its approval or disapproval, the Director shall assign a file number to the preliminary short plat, deposit the application fees, and issue a receipt. Copies of the preliminary short plat shall be distributed to affected agencies by the Director.

#### **12.300.110 Agency Review**

The affected agencies shall review the preliminary short plat, and within ten (10) working days or less, furnish their recommendation and any recommended conditions, if any, for approval or disapproval of the preliminary short plat to the Director. The Department Division and reviewing agencies may request additional information during the review process in order to process the application.

#### **12.300.112 Public Notice**

The Director shall provide, or shall cause public notice of the application to be given by the applicant, to adjacent property owners. A copy of the decision approving or denying the proposal will be provided to those parties who submit a request for such decision to the Director. No public notice is required for those divisions of land made pursuant to the Duplex Division provisions of the Spokane County Zoning Code. When applicable, public notice shall be made pursuant to the Procedural Administrative Rules to Implement ESHB-1724 adopted by the Board of County Commissioners.

#### **12.300.114 Public Use and Interest**

The Director shall determine, and make written findings, if appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant fact including sidewalks and other planning features; and whether the public interest will be served by the short plat and dedication.

#### **12.300.116 Conformity With Applicable Land Use Controls**

Short subdivisions may be approved if the Director makes a formal written finding of fact that the proposed short subdivision is in conformity with any applicable zoning code, chapter 58.17 RCW, or other land use controls which are known to exist.

#### **12.300.118 Preliminary Approval**

Approval of a preliminary short subdivision shall automatically expire five (5) years from the date of approval except that preliminary approval of short subdivisions that occurs prior to December 31, 2014 shall automatically expire seven (7) years after preliminary approval is granted. An extension of time may be granted under the provisions of chapter 12.100 of this ordinance.

#### **12.300.120 General Design**

The design of short plats shall conform to the requirements of all applicable county plans and standards, and any official control relating to land use which has been adopted to implement the Spokane County Comprehensive Plan. In addition:

- 1) The design, shape, size, and orientation of the tracts should be appropriate for the use for which the divisions are intended, and the character of the area in which they are located.
- 2) Block dimensions should reflect due regard to the needs of convenient access, public safety, emergency vehicle access, topography, road maintenance, and the provision of suitable sites for the land use planned.
- 3) Road alignments should be designed with appropriate consideration for existing and planned roads, anticipated traffic patterns, topographic and drainage conditions, public safety, and the proposed use of the land so divided.
- 4) When a tract is short platted into lots of one (1) acre or more in size, the Director may require an arrangement of the tracts and roads, such as to permit a subsequent redivision in conformity with roads or plans adopted by Spokane County.
- 5) Lots should not be divided by the boundary of any city, county, zoning designation, or public right-of-way.

#### **12.300.122 Roads**

Direct access to every residential lot shall be provided by a public or private road, or a private driveway easement.

Prior to filing the final short plat, the applicant shall improve or make appropriate provisions for the construction of the public or private road(s) consistent with Spokane County Standards for Road and Sewer Construction, as amended.



### **12.300.123 Urban Connectivity Design**

1. The intent of urban connectivity design standards is to provide for a system of streets that offer multiple routes and connections allowing ease of movement for cars, bikes and pedestrians including frequent intersections and few closed end streets (cul-de-sacs). The design of plats within Spokane County's Urban Growth Areas shall adhere to the following urban connectivity design standards, unless otherwise approved by the Director and the Spokane County Public Works Director Engineer pursuant to 12.300.123(2) below:
  - a. Block length for local streets shall not exceed 660 feet, unless an exception is granted based on one or more of the following:
    - i. Physical Conditions preclude a block length 660 feet or less. Such conditions may include, but are not limited to, topography natural resource areas, critical areas or shorelines.
    - ii. Buildings, train tracks or other existing development on adjacent lands physically preclude a block length 660 feet or less.
    - iii. An existing street or streets terminating at the boundary of the development site have a block length exceeding 660 feet, or are situated such that the extension of the street(s) into the development site would create a block length exceeding 660 feet.
  - b. The proposed development shall include street connections to any streets that abut, are adjacent, or terminate at the development site.
  - c. The proposed development shall include streets that extend to undeveloped or partially developed land that is adjacent to the development site. The streets will be in locations that will enable adjoining properties to connect to the proposed development's street system.
  - d. Permanent dead end streets or cul-de-sacs shall only be allowed when street connectivity can not be achieved due to barriers such as topography, natural features or existing development, e.g. train tracks. Cul-de-sacs that are allowed based on the above, shall be limited to 300 feet as measured from the centerline of the intersecting street to the radius point of the cul-de-sac.
  - e. Streets must be public if they are designed to connect to an adjacent site, or will serve lots on an adjacent site.
  - f. New private streets are strongly discouraged and typically only allowed when street connectivity is unachievable, such as property that is isolated by topography or the configuration of existing lots and streets, and shall adhere to the following requirements:
    - i. Private streets shall be constructed in accordance with the design standards for public streets.
    - ii. Pedestrian access shall be provided from the private street to an existing or future street or public pathway if vehicular access cannot be provided.
2. Exceptions to 12.300.123(1) above may be granted with the approval of the Director and the Spokane County Public Works Director Engineer based on unique attributes of the site or surrounding properties. Exceptions shall not be based on economic considerations related to costs associated with infrastructure improvements. Justification for any exception shall be made in writing and included as findings in the preliminary plat approval.

### **12.300.124 Sewage Disposal**

Provisions for adequate sewage disposal shall be in compliance the Spokane County Sewer Ordinance, Comprehensive Wastewater Management Plan, and Spokane County, Spokane

Regional Health District, Department of Health, Department of Ecology or the other appropriate agencies' regulations.

#### **12.300.126 Water Supply**

Provisions for an adequate domestic water supply and/or fire protection shall be in compliance with current Spokane County, Spokane Regional Health District, Department of Health or the other appropriate agencies' regulations.

#### **12.300.128 Stormwater Runoff**

Provisions for stormwater runoff shall be in compliance with Spokane County Guidelines for Stormwater Management.

#### **12.300.130 Utilities**

Easements for electric, water, sewer, gas and similar utilities shall be illustrated on the final short plat. The utility purveyors shall indicate to the Director in writing or verbally that the easements are adequate for their service needs.

When the density of a proposed subdivision meets or exceeds three lots per gross acre within the exterior boundaries, the subdivision shall provide underground utilities within public rights-of-way, alleys or utility easements including, but not limited to, those for electricity, communications, and street lighting. When conditions make underground installation impractical, the Director may waive the requirement for underground utilities.

#### **12.300.132 Professional Land Surveyor**

The preparation of all final short plats shall be made by or under the supervision of a professional land surveyor who shall certify on the final short plat that it is a true and correct representation of the lands actually surveyed. A survey is required on all final short plats. All surveys shall comply with the Survey Recording Act (RCW 58.09), Survey and Land Descriptions (WAC-332-130), and Spokane County Standards for Road and Sewer Construction, as amended.

#### **12.300.134 Mapping Requirements**

The final plat map shall show:

- 1) a. all monuments found, set, reset, replaced or removed, describing their kind, size and location and giving other data relating thereto;  
b. bearing trees, corner accessories or witness monuments, basis of bearings, bearing and length of lines, scale of map and north arrow;  
c. any other data necessary for the intelligent interpretation of the various items and locations of the points, lines and areas shown;  
d. ties to adjoining surveys of record.
- 2) The allowable error of mathematical closure for the final plat map shall not exceed 1 foot in 80,000 feet or 0.04 foot, whichever is greater.
- 3) Bearings and lengths are to be shown for all lines; no ditto marks are to be used.
- 4) Arrows shall be used to show limits of bearings and distances whenever any chance of misinterpretation could exist.
- 5) Plat boundary and street monument lines having curves shall show radius, arc, central angle and tangent for each curve and radial bearings where curve is intersected by a non-tangent line. Spiral curves shall show chord bearing and length.
- 6) Lots along curves shall show arc length along curve and radial bearings at lot corners. If a curve table is provided, it shall show angle for each segment of the curve along each lot, arc length, tangent length, and radius. Radial bearings along lot lines will not be required.

- 7) All dimensions shall be shown in feet and hundredths of a foot. All bearings and angles shall be shown in degrees, minutes and seconds.
- 8) When elevations are needed on the final plat, permanent bench mark(s) shall be shown on the final plat in a location and on a datum plane approved by the County Public Works Department Engineer.
- 9) The final plat shall indicate the actual net area for each platted lot exclusive of the right-of-way. Lots one (1) acre and over shall be shown to the closest hundredth of an acre, and all other lots shall be shown in square feet.

#### **12.300.136 Monumentation**

Monumentation shall be established as required by Spokane County Standards for Road and Sewer Construction, as amended. In addition, every lot corner shall be marked with an iron rod or iron pipe marked in a permanent manner with the registration number of the professional land surveyor in charge of the survey. Each lot corner shall also be marked with a wooden stake.

#### **12.300.138 Final Short Plat Submittal**

Submittal of a final short plat shall be made within five (5) years of the date of preliminary approval except that submittal of a final short plat with preliminary approval that occurs prior to December 31, 2014 shall be made within seven (7) years of the date of preliminary approval. An extension of time may be granted under the provisions of chapter 12.100 of this ordinance.

#### **12.300.140 Contents of Final Short Plat**

- 1) The final short plat shall be a legibly drawn, printed, or reproduced permanent map, eighteen (18) by twenty-four (24) inches. A two (2) inch margin shall be provided on the left edge and a one-half (1/2) inch margin shall be provided at the other edges of the plat. If more than one sheet is required, each sheet shall show sheet numbers for the total sheets.
- 2) The file number of the short plat; location by section, township and range shall be shown.
- 3) The scale shall be fifty (50) or one hundred (100) feet to the inch. If approved by the Director, an appropriate scale may be used which does not exceed 1"=200', provided a 1"=400' reduced copy is also submitted.
- 4) A distinct wide boundary line shall delineate the boundary of the short plat.
- 5) The location and widths of streets, alleys, rights-of-way, easements, parks and open spaces proposed within the short plat and those existing immediately adjacent to the short plat shall be shown. Areas to be dedicated to the public must be labeled.
- 6) Layout and names of adjoining subdivisions and replats shall be shown within and adjacent to the subdivision boundary.
- 7) The layout, lot and block numbers, and dimensions of all lots shall be shown.
- 8) Street names shall be shown.
- 9) Street addresses for each lot shall be shown.
- 10) Plat restrictions required as conditions of preliminary short plat approval shall be shown.
- 11) Appropriate utility easements shall be shown.
- 12) Any special statements of approval required from governmental agencies, including those pertaining to flood hazard areas, shorelines, critical areas, and connections to adjacent state highways shall be shown.
- 13) A notarized certification by the owner(s) as shown on a current plat certificate shall be provided dedicating streets, areas intended for other public use, and granting of easements for slope and utilities.

- 14) A certification signed by a professional land surveyor registered in the State of Washington stating that, where required, the final short plat was surveyed and prepared by himself/herself, or under his/her supervision, that plat is a true and correct representation of the subject land, and that monumentation has been established as required by County standards.
- 15) The following signatures are required on the final short plat:
  - a. Spokane County ~~Engineer~~ Public Works Director
  - b. Spokane County ~~Utilities~~ Environmental Services Director
  - c. Health Officer of the Spokane Regional Health District
  - d. Spokane County Building and Planning Director
  - e. Spokane County Treasurer
  - f. Spokane County Assessor

**12.300.142 Filing**

The original reproducible final short plat shall be submitted to the Department Division of Engineering and Roads Building and Planning for review. ~~Once the County Engineer and Utilities Director have affixed their signature on the final short plat, it shall be submitted to the Director for obtaining the rest of the required signatures.~~ Once the final short plat has been reviewed and approved by the applicable agencies, the final short plat shall be filed with the County Auditor and the applicant shall be so notified of such filing. Fees to record the final short plat must be submitted to the Director prior to filing.

## 12.400 - SUBDIVISIONS

### 12.400.102 General Provisions

The purpose of this chapter is to provide a process to divide land into five (5) or more lots, tracts, parcels, sites or divisions outside of the Urban Growth Area boundary, or ten or more lots, tracts, parcels, sites, or divisions inside of the Urban Growth Area boundary, less than five (5) acres in size, with a level of review that is proportional to the effect those lots may have on the surrounding area.

Any person seeking to divide or redivide land situated within the unincorporated areas of Spokane County into five (5) or more lots, or ten or more lots, as applicable, for the purpose of sale, lease or transfer of ownership, unless otherwise exempted under this ordinance, shall submit an application for approval of a subdivision to the Director together with the appropriate application fee.

### 12.400.104 Application

Prior to filing an application with the ~~Department Division~~, the applicant should have a preconference with the Director to obtain application forms and receive general information regarding the subdivision process. Following the preliminary conference and submittal of a proposed application, the applicant should have a design review meeting with affected agencies. Design review meeting dates and times will be coordinated by the Director. Based on design review comments from agencies, the applicant may submit a modified application following the design review meeting.

### 12.400.106 Contents of Preliminary Plat

Every preliminary plat application shall consist of the preliminary plat, applicable fees, and the following:

- 1) Maps/Exhibits:
  - a. A minimum of nine (9) copies of the preliminary plat prepared by or under the direction of a professional land surveyor, twenty-four (24) by thirty-six (36) inches in size, and with a scale of 1"=50', 1"=100'. If approved by the Director, an appropriate scale may be used which does not exceed 1"=200'.
  - b. One (1) reduced copy of the preliminary plat
  - c. Two (2) copies of the Spokane County Assessor's map showing the location of and the existing parcel numbers of all abutting properties within 400 feet of the site, unless the applicant owns adjacent property, in which case the map shall show the location of and the existing parcel numbers of properties within 400 feet of the applicant's ownership. The approximate location of the subject property shall be clearly marked.
  - d. One (1) copy of the official zoning map with the boundary of any proposed subdivision and/or zone change(s) indicated in red, with the proposed zoning labeled on the subject property. The zoning map shall be stamped by a professional land surveyor. The stamp is for the purpose of indicating that the proposed boundary is a representation of the certified legal description contained in the application.
  - e. One (1) copy of Spokane County ~~Public Works Director's Engineer's~~ section map showing the proposed subdivision
  - f. Environmental Checklist per Spokane County Environmental Ordinance
  - g. Legal description of the property with the source of the legal clearly indicated
  - h. Public notice packet

- 2) Preliminary Plat Data: (to be illustrated on the preliminary plat)
- a. Name, address and telephone number of the owner and the person with whom official contact should be made regarding the plat
  - b. Location of the site by section, township, range
  - c. A statement covering the number of lots, proposed use of lots, method of domestic water supply, sanitary disposal of sewage
  - d. Vicinity map which shall indicate the property to be subdivided
  - e. North arrow, scale, and the boundary of the proposed plat
  - f. Boundaries of all blocks, the designation of lots, lot lines, and dimensions
  - g. The location, names and widths of all existing and proposed streets, roads, and access easements within the proposed plat and within 100 feet thereof, or the nearest county road, if there is no county road within 100 feet thereof
  - h. Approximate location of existing buildings, septic tanks, drainfields, wells and other improvements (indicate if they will remain or be removed).
  - i. Illustrate all proposed or existing easements, and/or divisions proposed to be dedicated for any public purpose or for the common use of the property owners of the plat
  - j. Approximate location of all natural features such as wooded areas, streams, drainage ways, and critical areas as defined in the Critical Areas Ordinance
  - k. Topographic information at 10 foot intervals, if any slopes exceed 10%
  - l. Conditions of adjacent property, platted or unplatted, and if platted, giving the name of the subdivision. If the proposed plat is the subdivision of a portion of an existing plat, the approximate lines of the existing plat are to be shown and a copy of the existing plat, along with any and all recorded covenants and easements.

#### **12.400.108 Distribution of Preliminary Plats**

If the Director determines that the application is complete and that the preliminary plat contains sufficient elements and data to furnish a basis for its approval or disapproval, the Director shall assign a file number to the preliminary plat and issue a receipt. Copies of the preliminary plat shall be distributed to affected agencies by the Director.

#### **12.400.110 Agency Review**

The affected agencies shall review the preliminary plat and within ten (10) working days or less, furnish their recommendation and recommended conditions, if any, for approval or disapproval of the preliminary plat to the Director. These recommendations and recommended conditions may also be provided to the applicant and the Director at the design review meeting, if one is conducted for the project. All required recommendations and certifications from agencies of jurisdiction shall be received in writing by the Director and shall be made part of the file for submittal to the Hearing Examiner and shall be made a part of the official record of public hearings. The ~~Department~~ Division and reviewing agencies may request additional information during the review process in order to process the application.

#### **12.400.112 Public Notice**

Public notice shall be given to property owners within four (400) hundred feet of the preliminary plat boundary, by publication in the county's official newspaper, and by a sign posted on the site. Notice of application, decision, and other required notice shall be made pursuant to the Procedural Administrative Rules to Implement ESHB-1724 adopted by the Board of County Commissioners.

#### **12.400.114 Public Hearing**

A public hearing is required for all subdivision proposals. Hearings before the Spokane County Hearing Examiner shall be conducted pursuant to the Hearing Examiner Ordinance, Rules and Procedure for the Office of the Hearing Examiner, and Procedures for Appeals to the Board of County Commissioners from Hearing Examiner Decisions. Copies of these resolutions may be obtained from the Department Division.

#### **12.400.116 Public Use and Interest**

The Director shall provide a written report and recommendation to the Hearing Examiner, recommending if appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant fact including sidewalks and other planning features; and whether the public interest will be served by the subdivision and dedication.

#### **12.400.118 Conformity With Applicable Land Use Controls**

Subdivisions may be approved by the Hearing Examiner if the Hearing Examiner, after a public hearing, makes a formal written finding of fact that the proposed subdivision is in conformity with chapter 58.17 RCW, any applicable zoning ordinance, or other land use plans which are known to exist.

#### **12.400.120 Preliminary Approval**

Preliminary subdivision approval shall automatically expire five (5) years from the date of approval except that preliminary approval of subdivisions that occurs prior to December 31, 2014 shall automatically expire seven (7) years after preliminary approval is granted. An extension of time may be granted under the provisions of chapter 12.100 of this ordinance.

#### **12.400.122 General Design**

The design of plats shall conform to the requirements of all applicable county plans and standards, and any official control relating to land use which has been adopted to implement the Spokane County Comprehensive Plan. In addition:

- 1) The design, shape, size, and orientation of the lots should be appropriate for the use for which the divisions are intended, and the character of the area in which they are located.
- 2) Block dimensions should reflect due regard to the needs of convenient access, public safety, emergency vehicle access, topography, road maintenance, and the provision of suitable sites for the land use planned.
- 3) Road alignments should be designed with appropriate consideration for existing and planned roads, anticipated traffic patterns, topographic and drainage conditions, public safety, and the proposed use of the land so divided.
- 4) Where a lot is platted into lots of one (1) acre or more in size, the Director may require an arrangement of the lots and roads, such as to permit a subsequent redivision in conformity with roads or plans adopted by Spokane County.
- 5) Lots should not be divided by the boundary of any city, county, zoning designation, or public right-of-way.

### **12.400.123 Urban Connectivity Design**

1. The intent of urban connectivity design standards is to provide for a system of streets that offer multiple routes and connections allowing ease of movement for cars, bikes and pedestrians including frequent intersections and few closed end streets (cul-de-sacs). The design of plats within Spokane County's Urban Growth Areas shall adhere to the following urban connectivity design standards, unless otherwise approved by the Director and the Spokane County Public Works Director Engineer pursuant to 12.400.123(2) below:
  - a. Block length for local streets shall not exceed 660 feet, unless an exception is granted based on one or more of the following:
    - i. Physical Conditions preclude a block length 660 feet or less. Such conditions may include, but are not limited to, topography natural resource areas, critical areas or shorelines.
    - ii. Buildings, train tracks or other existing development on adjacent lands physically preclude a block length 660 feet or less.
    - iii. An existing street or streets terminating at the boundary of the development site have a block length exceeding 660 feet, or are situated such that the extension of the street(s) into the development site would create a block length exceeding 660 feet.
  - b. The proposed development shall include street connections to any streets that abut, are adjacent, or terminate at the development site.
  - c. The proposed development shall include streets that extend to undeveloped or partially developed land that is adjacent to the development site. The streets will be in locations that will enable adjoining properties to connect to the proposed development's street system.
  - d. Permanent dead end streets or cul-de-sacs shall only be allowed when street connectivity can not be achieved due to barriers such as topography, natural features or existing development, e.g. train tracks. Cul-de-sacs that are allowed based on the above, shall be limited to 300 feet as measured from the centerline of the intersecting street to the radius point of the cul-de-sac.
  - e. Streets must be public if they are designed to connect to an adjacent site, or will serve lots on an adjacent site.
  - f. New private streets are strongly discouraged and typically only allowed when street connectivity is unachievable, such as property that is isolated by topography or the configuration of existing lots and streets, and shall adhere to the following requirements:
    - i. Private streets shall be constructed in accordance with the design standards for public streets.
    - ii. Pedestrian access shall be provided from the private street to an existing or future street or public pathway if vehicular access cannot be provided.
2. Exceptions to 12.400.123(1) above may be granted with the approval of the Director and the Spokane County Public Works Director Engineer based on unique attributes of the site or surrounding properties. Exceptions shall not be based on economic considerations related to costs associated with infrastructure improvements. Justification for any exception shall be made in writing and included as findings in the preliminary plat approval.

### **12.400.124 Roads**

Direct access to every residential lot shall be provided by a public or private road, or a private driveway easement.



Prior to filing the final plat, the applicant shall improve or make appropriate provisions for the construction of the public or private road(s) consistent with Spokane County Standards for Road and Sewer Construction, as amended

#### **12.400.126 Sewage Disposal**

Provisions for adequate sewage disposal shall be in compliance with the Spokane County Sewer Ordinance, Comprehensive Wastewater Management Plan, and Spokane County, Spokane Regional Health District, Department of Health, Department of Ecology, or the other appropriate agencies' regulations.

#### **12.400.128 Water Supply**

Provisions for an adequate domestic water supply and/or fire protection shall be in compliance with current Spokane County, Spokane Regional Health District, Department of Health or the other appropriate agencies' regulations.

#### **12.400.130 Stormwater Runoff**

Provisions for stormwater runoff shall be in compliance with Spokane County Guidelines for Stormwater Management.

#### **12.400.132 Utilities**

Easements for electric, water, sewer, gas and similar utilities shall be illustrated on the final plat. The utility purveyors shall indicate to the Director in writing or verbally that the easements are adequate for their service needs.

When the density of a proposed subdivision meets or exceeds three lots per gross acre within the exterior boundaries, the subdivision shall provide underground utilities within public rights-of-way, alleys or utility easements including, but not limited to, those for electricity, communications, and street lighting. When conditions make underground installation impractical, the Director may waive the requirement for underground utilities.

#### **12.400.134 Professional Land Surveyor**

The preparation of all preliminary and final plats shall be made by or under the supervision of a professional land surveyor. The professional land surveyor shall certify on the final plat that it is a true and correct representation of the lands actually surveyed. A survey is required on all final plats. All surveys shall comply with the Survey Recording Act (RCW 58.09), Survey and Land Descriptions (WAC-332-130), and Spokane County Standards for Road and Sewer Construction, as amended.

#### **12.400.136 Mapping Requirements**

The final plat map shall show:

- 1) a. all monuments found, set, reset, replaced or removed, describing their kind, size and location and giving other data relating thereto;
- b. bearing trees, corner accessories or witness monuments, basis of bearings, bearing and length of lines, scale of map and north arrow;
- c. any other data necessary for the intelligent interpretation of the various items and locations of the points, lines and areas shown;
- d. ties to adjoining surveys of record.

- 2) The allowable error of mathematical closure for the final plat map shall not exceed 1 foot in 80,000 feet or 0.04 foot, whichever is greater.
- 3) Bearings and lengths are to be shown for all lines; no ditto marks are to be used.
- 4) Arrows shall be used to show limits of bearings and distances whenever any chance of misinterpretation could exist.
- 5) Plat boundary and street monument lines having curves shall show radius, arc, central angle and tangent for each curve and radial bearings where curve is intersected by a non-tangent line. Spiral curves shall show chord bearing and length.
- 6) Lots along curves shall show arc length along curve and radial bearings at lot corners. If a curve table is provided, it shall show angle for each segment of the curve along each lot, arc length, tangent length, and radius. Radial bearings along lot lines will not be required.
- 7) All dimensions shall be shown in feet and hundredths of a foot. All bearings and angles shall be shown in degrees, minutes and seconds.
- 8) When elevations are needed on the final plat, permanent bench mark(s) shall be shown on the final plat in a location and on a datum plane approved by the County Public Works Director Engineer.
- 9) The final plat shall indicate the actual net area for each platted lot exclusive of the right-of-way. Lots one (1) acre and over shall be shown to the closest hundredth of an acre, and all other lots shall be shown in square feet.

#### **12.400.138 Monumentation**

Monumentation shall be established as required by Spokane County Standards for Road and Sewer Construction, as amended. In addition, every lot corner shall be marked with an iron rod or iron pipe marked in a permanent manner with the registration number of the professional land surveyor in charge of the survey. Each lot corner shall also be marked with a wooden stake.

#### **12.400.140 Final Plat Submittal**

Submittal of a final plat shall be made within five (5) years of the date of preliminary approval except that a submittal of a final plat with preliminary approval that occurs prior to December 31, 2014 shall be made within seven (7) years of the date of preliminary approval. An extension of time may be granted under the provisions of chapter 12.100 of this ordinance.

#### **12.400.142 Contents of Final Plat**

- 1) The final plat shall be a legibly drawn, printed, or reproduced permanent map, twenty-four (24) by thirty-six (36) inches. A two (2) inch margin shall be provided on the left edge and a one-half (1/2) inch margin shall be provided at the other edges of the plat. If more than one sheet is required, each sheet shall show sheet numbers for the total sheets.
- 2) The name of the subdivision; location by section, township and range shall be shown.
- 3) The scale shall be fifty (50) or one hundred (100) feet to the inch. If approved by the Director, an appropriate scale may be used which does not exceed 1"=200', provided a 1"=400' reduced copy is also submitted.
- 4) A distinct wide boundary line shall delineate the boundary of the subdivision.
- 5) The location and widths of streets, alleys, rights-of-way, easements, parks and open spaces proposed within the subdivision and those existing immediately adjacent to the subdivision shall be shown. Areas to be dedicated to the public must be labeled.
- 6) Layout and names of adjoining subdivisions and replats shall be shown with a dashed line within and adjacent to the subdivision boundary.
- 7) The layout, lot and block numbers, and dimensions of all lots shall be shown.
- 8) Street names shall be shown.
- 9) Street addresses for each lot shall be shown.

- 10) Plat restrictions required as conditions of preliminary ~~short~~ plat approval shall be shown.
- 11) Appropriate utility easements shall be shown.
- 12) All special statements of approval required from governmental agencies, including those pertaining to flood hazard areas, shorelines, critical areas, and connections to adjacent state highways shall be shown.
- 13) A notarized certification by the owner(s) as shown on a current plat certificate shall be provided dedicating streets, areas intended for other public use, and granting of easements for slope and utilities.
- 14) A certification signed by a licensed professional land surveyor registered in the State of Washington stating that, where required, the final plat was surveyed and prepared by himself/herself, or under his/her supervision, that plat is a true and correct representation of the subject land, and that monumentation has been established as required by County standards.
- 15) The following signatures are required on the final plat:
  - a. Spokane County Public Works Director Engineer
  - b. Spokane County Utilities Director
  - c. Health Officer of the Spokane Regional Health District
  - d. Spokane County Building and Planning Director
  - ~~e. Spokane County Commissioners (Chairperson)~~
  - f. Spokane County Treasurer
  - g. Spokane County Assessor

**12.400.144 Filing**

The original reproducible final plat shall be submitted to the Department Division of Engineering and Roads Building and Planning for review. ~~Once the County Engineer and Utilities Director have affixed their signature on the final short plat, it shall be submitted to the Director for obtaining the rest of the required signatures.~~ Once the final plat has been reviewed and approved by the Planning Director, and signed by the applicable agencies and ~~chairperson of the Board of County Commissioners~~, the Director-Department shall file the final plat with the County Auditor and the applicant shall be so notified of such filing. Fees to record the final plat must be submitted to the Director prior to filing.

## 12.500 - BINDING SITE PLANS

### **12.500.102 General Provisions**

The purpose of this chapter is to provide a process to divide industrial and commercial land into lots, tracts, parcels, sites or divisions with a level of review that is proportional to the effect those lots may have on the surrounding area. It is also to provide a process designating lots to be created; however, such designation is to be liberally construed in order that lots may be modified without resubmittal of an application, as long as the project is consistent with required zoning and other development standards.

The process of binding site plans is limited to those areas which are zoned Neighborhood Commercial (NC), Community Commercial (CC), Regional Commercial (RC), Limited Development Area Commercial (LDAC), Light Industrial (LI), Heavy Industrial (HI), Mixed Use (MU), and Rural Activity Center (RAC) under the Spokane County Zoning Code. It may also be used for the purpose of approving manufactured home parks located in other zones under the Spokane County Zoning Code.

### **12.500.104 Application**

Prior to filing an application with the Department Division, the applicant should have a preconference with the Director. Following the preconference, the applicant may submit a preliminary binding site plan application for review by the Department Division and appropriate agencies.

### **12.500.106 Contents of Preliminary Binding Site Plan**

Every preliminary binding site plan application shall consist of the preliminary binding site plan, applicable fees, and the following:

- 1) Maps/Exhibits:
  - a. A minimum of nine (9) copies of the preliminary binding site plan prepared by or under the direction of a licensed professional land surveyor, twenty-four (24) by thirty-six (36) inches in size, and with a scale of 1"=50', 1"=100'. If approved by the Director, an appropriate scale may be used which does not exceed 1"=200'.
  - b. One (1) reduced copy of the preliminary binding site plan
  - c. Two (2) copies of the Spokane County Assessor's map showing the location of and the existing parcel number of all abutting properties. The approximate location of the subject property shall be clearly marked.
  - d. One (1) copy of Spokane County Public Works Director's Engineer's section map showing the proposed binding site plan. The approximate location of the subject property shall be clearly marked.
  - e. Environmental Checklist per Spokane County Environmental Ordinance
  - f. Legal description of the property with the source of the legal description clearly indicated
  - g. Public notice packet
- 2) Preliminary Binding Site Plan Data: (to be illustrated on the preliminary binding site plan)
  - a. Name, address and telephone number of the owner and the person with whom official contact should be made regarding the binding site plan
  - b. Location of the binding site plan by section, township, range
  - c. A statement describing the number of lots, general proposed uses of the lots, method of water supply, and sanitary disposal of sewage
  - d. Vicinity map which shall indicate the property to be divided

- e. North arrow, scale, and the boundary of the proposed binding site plan
- f. Boundaries of all blocks, the designation of lots, lot lines, and dimensions
- g. The location, names and widths of all existing and proposed streets, roads, and access easements within the proposed binding site plan and adjoining the binding site plan
- h. Approximate location of existing structures, septic tanks, drainfields, wells and other improvements located on the site and whether such structures are proposed to remain on the property
- i. Illustrate any proposed easements and/or divisions to be dedicated for any public purpose
- j. The approximate location, size, and dimension of any common areas on the site
- k. Approximate location of any natural features such as wooded areas, streams, drainage ways, and critical areas as defined in the Critical Areas Ordinance
- l. Topographic information at 10 foot intervals, if any slopes exceed 10%

**12.500.108 Distribution of Preliminary Binding Site Plans**

If the Director determines that the application is complete under the requirements listed in section 12.500.106 above and that the preliminary binding site plan contains sufficient elements and data to furnish a basis for its approval or disapproval, the Director shall assign a file number to the preliminary binding site plan and issue a receipt. Copies of the preliminary binding site plan shall be distributed to affected agencies by the Director.

**12.500.110 Agency Review**

The affected agencies shall review the preliminary binding site plan and within ten (10) days or less, furnish their recommendation and recommended conditions, if any, for approval or disapproval of the preliminary binding site plan to the Director. All required recommendations and recommended conditions of approval from agencies of jurisdiction shall be received in writing by the Director and shall be made part of the file. The ~~Department Division~~ and reviewing agencies may request additional information during the review process in order to process the application.

After reviewing the project and completing SEPA review, the Director shall issue a written decision approving or denying the application with written findings of fact.

**12.500.112 Public Notice**

The Director shall provide, or shall cause public notice to be given by the applicant, to adjacent property owners. Notice of application, decision, and other required notice shall be made pursuant to the Procedural Administrative Rules to Implement ESHS-1724 adopted by the Board of County Commissioners.

**12.500.114 Public Use and Interest**

The Director should determine, and make written findings, if appropriate provisions are made for, but not limited to, the public health, safety, and general welfare; and whether the public interest will be served by the binding site plan.

**12.500.116 Conformity With Applicable Land Use Controls**

Binding site plans can be approved by the Director, if the Director makes a formal written finding of fact that the proposed binding site plan is in conformity with any applicable zoning code or other land use controls which are known to exist.

**12.500.118 Preliminary Approval**

Applications for binding site plans should either be approved, approved with conditions, or denied within forty-five (45) calendar days of the issuance of a determination of completeness, unless the applicant gives consent to an extension of time, or unless additional environmental information is required under SEPA.

Preliminary binding site plan approval shall automatically expire five (5) years from the date of approval unless an extension of time is granted under the provisions of chapter 12.100 of this ordinance.

#### **12.500.120 General Design**

The design of binding site plans shall conform to the requirements of all applicable county plans and standards, and any official control relating to land use which has been adopted to implement the Spokane County Comprehensive Plan. In addition:

- 1) The design, shape, size, and orientation of the lots should be appropriate for the use for which the divisions are intended, and the character of the area in which they are located.
- 2) Block dimensions should reflect regard for the needs of convenient access, public safety, emergency vehicle access, topography, road maintenance, and the provision of suitable sites for the land use planned.
- 3) Road alignments should be designed with appropriate consideration for existing and projected roads, anticipated traffic patterns, topographic and drainage conditions, public safety, and the proposed use of the land so divided.
- 4) Lots should not be divided by the boundary of any city, county, zoning designation, or public right-of-way.

#### **12.500.122 Roads**

Direct access to every lot shall be provided by a public or private road, or a private driveway easement.

Prior to filing of the final binding site plan, the applicant shall improve or make appropriate provisions for the construction of the public road(s) consistent with Spokane County Standards for Road and Sewer Construction, as amended. Private road(s) serving those lots being developed shall be constructed, and final as-built plans shall be submitted prior to the issuance of a Certificate of Occupancy.

#### **12.500.124 Sewage Disposal**

Provisions for adequate sewage disposal shall be in compliance with the Spokane County Sewer Ordinance, Comprehensive Wastewater Management Plan, and current Spokane County, Spokane Regional Health District, Department of Health, Department of Ecology, or the other appropriate agencies' regulations.

#### **12.500.126 Water Supply**

Provisions for an adequate water supply and/or fire protection shall be in compliance with current Spokane County, Spokane Regional Health District, Department of Health or the other appropriate agencies' regulations.

### **12.500.128 Stormwater Runoff**

Provisions for stormwater runoff shall be in compliance with Spokane County Guidelines for Stormwater Management.

### **12.500.130 Utilities**

The dedication language in the final binding site plan shall include a statement indicating that utility easements for utility purveyors shall be made prior to the creation of each lot through a record of survey. If the binding site plan is finalized in one phase, easements for electric, water, sewer, gas, and similar utilities shall be illustrated on the final binding site plan. The utility purveyors shall indicate to the Director in writing or verbally that the easements are adequate for their service needs.

### **12.500.132 Professional Land Surveyor**

The preparation of all binding site plans shall be made by or under the supervision of a professional land surveyor. The professional land surveyor shall certify on the final binding site plan that it is a true and correct representation of the lands actually surveyed. All surveys shall comply with the Survey Recording Act (RCW 58.09), Survey and Land Descriptions (WAC-332-130), and Spokane County Standards for Road and Sewer Construction, as amended.

### **12.500.134 Mapping Requirements**

The final plat map shall show:

- 1) a. all monuments found, set, reset, replaced or removed, describing their kind, size and location and giving other data relating thereto;  
b. bearing trees, corner accessories or witness monuments, basis of bearings, bearing and length of lines, scale of map and north arrow;  
c. any other data necessary for the intelligent interpretation of the various items and locations of the points, lines and areas shown;  
d. ties to adjoining surveys of record.
- 2) The allowable error of mathematical closure for the final plat map shall not exceed 1 foot in 80,000 feet or 0.04 foot, whichever is greater.
- 3) Bearings and lengths are to be shown for all lines; no ditto marks are to be used.
- 4) Arrows shall be used to show limits of bearings and distances whenever any chance of misinterpretation could exist.
- 5) Plat boundary and street monument lines having curves shall show radius, arc, central angle and tangent for each curve and radial bearings where curve is intersected by a non-tangent line. Spiral curves shall show chord bearing and length.
- 6) Lots along curves shall show arc length along curve and radial bearings at lot corners. If a curve table is provided, it shall show angle for each segment of the curve along each lot, arc length, tangent length, and radius. Radial bearings along lot lines will not be required.
- 7) All dimensions shall be shown in feet and hundredths of a foot. All bearings and angles shall be shown in degrees, minutes and seconds.
- 8) When elevations are needed on the final plat, permanent bench mark(s) shall be shown on the final plat in a location and on a datum plane approved by the County Public Works Director Engineer.
- 9) The final plat shall indicate the actual net area for each platted lot exclusive of the right-of-way. Lots one (1) acre and over shall be shown to the closest hundredth of an acre, and all other lots shall be shown in square feet.

### **12.500.136 Monumentation**

Monumentation shall be established as required by Spokane County Standards for Road and Sewer Construction, as amended. In addition, every lot corner shall be marked with an iron rod or iron pipe marked in a permanent manner with the registration number of the professional land surveyor in charge of the survey. Each lot corner shall also be marked with a wooden stake.

#### **12.500.138 Record of Survey**

A record of survey may be filed subsequent to the recording of a final binding site plan to establish lots within the boundaries of the final binding site plan. The record of survey shall be reviewed and approved, usually within twenty (20) days, by the Director prior to its recordation. The following information shall be provided on the record of survey.

1. The survey shall be of a size required by the County Auditor. If more than one sheet is required, each sheet shall show sheet numbers for the total sheets.
2. The binding site plan file number shall be referenced.
3. The scale shall be fifty (50) or one hundred (100) feet to the inch. If approved by the Director, an appropriate scale may be used which does not exceed 1"=200', provided a 1"=400' reduced copy is provided.
4. A distinct wide boundary line shall delineate the boundary of the lot(s) being created. The boundary of the binding site plan shall be indicated and any lot(s) that have been created by filing of the final binding site plan and/or record of survey.
5. Each lot shall be numbered consecutively, and the size of each lot shall be indicated on the record of survey.
6. The location and widths of streets, alleys, rights-of-way, and easements within the binding site plan and those existing immediately adjacent to the lot being created shall be shown.
7. Street names shall be shown.
8. Street addresses of each lot shall be shown.
9. Restrictions required as conditions of preliminary approval shall be shown.
10. Appropriate utility easements shall be shown.
11. Certification of the licensed professional land surveyor.
12. The following signatures are required on the record of survey:
  - a. Spokane County Building and Planning Director
  - b. property owner
13. Illustrate any existing buildings located on the lot which is being created.

#### **12.500.140 Final Binding Site Plan Submittal**

The final binding site plan shall incorporate any conditions of approval imposed by the Director and shall be prepared and certified by a licensed professional land surveyor.

Submittal of a final binding site plan shall be made within five (5) years of the date of preliminary approval, unless an extension of time has been granted under the provisions of chapter 12.100 of this ordinance.

A final binding site plan may include all of the lots being created or it may consist of the boundary of the binding site plan. If no lots are being created at the time of filing the final binding site plan, the creation of any lots shall be made by a record of survey under the provisions of section 12.500.138 above.

All final binding site plan submittals shall include the following:

- 1) A minimum of nine (9) copies of the proposed final binding site plan
- 2) Final binding site plan fees
- 3) Three (3) copies of a plat certificate



**12.500.142 Contents of Final Binding Site Plan:**

- 1) The final binding site plan shall be a legibly drawn, printed, or reproduced permanent map, twenty-four (24) by thirty-six (36) inches. A two (2) inch margin shall be provided on the left edge and a one-half (1/2) inch margin shall be provided at the other edges of the plat. If more than one sheet is required, each sheet shall show sheet numbers for the total sheets.
- 2) The binding site plan file number; location by section, township and range shall be shown.
- 3) The scale shall be fifty (50) or one hundred (100) feet to the inch. If approved by the Director, an appropriate scale may be used which does not exceed 1"=200', provided a 1"=400' reduced copy is also submitted.
- 4) A distinct wide boundary line shall delineate the boundary of the binding site plan.
- 5) Any lot(s) being finalized shall be numbered consecutively, and the size of those lots shall be indicated on the final binding site plan.
- 6) The location and widths of streets, alleys, rights-of-way, and easements within the binding site plan and those existing immediately adjacent to the binding site plan shall be shown. A statement dedicating any required right-of-way shall appear on the face of the final binding site plan.
- 7) The layout, lot and block numbers, and dimensions of all lots shall be shown.
- 8) The location and dimensions of any common areas within the final binding site plan, and a description of the purpose thereof.
- 9) Layout and names of adjoining subdivisions and replats shall be shown with a dashed line within and adjacent to the binding site plan boundary.
- 10) Street names shall be shown.
- 11) Street addresses for each lot shall be shown.
- 12) Restrictions required as conditions of preliminary approval shall be shown.
- 13) Appropriate utility easements shall be shown, if lots are being created.
- 14) Any special statements of approval required from governmental agencies, including those pertaining to flood hazard areas, shorelines, and connections to state highways shall be shown.
- 15) Any roads not dedicated to the public shall be clearly marked and named per County standards.
- 16) A notarized certification by the owner(s) shall be provided dedicating streets, areas intended for other public use, and granting of easements for slope and utilities.
- 17) A certification signed by a licensed professional land surveyor registered stating that, where required, the final binding site plan was surveyed and prepared by himself/herself, or under his/her supervision that the binding site plan is a true and correct representation of the subject land, and that monumentation have been established as required by County standards.
- 18) The following signatures of approval are required on the final binding site plan:
  - a. Spokane County ~~Engineer~~ Public Works Director
  - b. Spokane County ~~Utilities~~ Environmental Services Director
  - c. Health Officer of the Spokane Regional Health District
  - d. Spokane County Building and Planning Director
  - e. Spokane County Treasurer
  - f. Spokane County Assessor

**12.500.144 Filing**

The original final binding site plan shall be submitted to the Department ~~Division~~ of Engineering and Roads Building and Planning for review. ~~Once the County Engineer and Utilities Director have affixed their signature on the final short plat, it shall be submitted to the Director for obtaining the rest of the required signatures.~~ Once the final binding site plan has been reviewed,

approved and signed by the applicable agencies the Director shall file the final binding site plan with the County Auditor and the applicant shall be so notified of such filing. Fees to record the final binding site plan must be submitted to the Director prior to filing.

## 12.600 - LARGE LOT DIVISIONS

### 12.600.102 General Provisions

The purpose of this chapter is to provide a process to divide land into large tracts between five (5) and twenty (20) acres in size unless exempted under the provisions of chapter 12.100 of this ordinance.

Large lot short subdivisions (divisions containing 4 or fewer lots, five (5) acres and greater in size) shall be reviewed in accordance with chapter 12.300 of this ordinance. The administrative review of large lot short subdivisions may be limited to access, road alignment, traffic circulation patterns, and drainage improvements as they relate to the proposed large lot short subdivision.

Large lot subdivisions (divisions containing 5 or more lots, five acres and greater in size) shall be reviewed in accordance with the provisions of this chapter. Large lot subdivisions shall be reviewed administratively under the provisions of chapter 58.17.095 RCW. The purpose of this chapter is to provide a process which is simplified and with a level of review that is proportional to the effect those lots may have on the surrounding area. It is not intended to provide a detailed level of review which occurs for smaller, urban lots.

### 12.600.104 Application

Prior to filing an application with the Department Division, the applicant should have a preconference with the Director. Following the preconference, the applicant may submit a preliminary large lot subdivision application for review by the Department Division and appropriate agencies.

### 12.600.106 Contents of Preliminary Large Lot Subdivision

Every preliminary large lot subdivision application shall consist of the preliminary large lot subdivision, applicable fees, and the following:

- 1) Maps/Exhibits:
  - a. A minimum of nine (9) copies of the preliminary large lot subdivision, prepared by or under the direction of a licensed professional land surveyor, twenty-four (24) by thirty-six (36) inches in size, and with a scale of 1"=50' or 1"=100' If approved by the Director, an appropriate scale may be used which does not exceed 1"=200'.
  - b. One (1) reduced copy of the preliminary large lot subdivision
  - c. Two (2) copies of the Spokane County Assessor's map showing the location of and the existing parcel number of all abutting properties. The approximate location of the subject property shall be clearly marked.
  - d. One (1) copy of Spokane County Public Works Director's Engineer's section map showing the proposed large lot subdivision. The approximate location of the subject property shall be clearly marked.
  - e. Environmental Checklist per Spokane County Environmental Ordinance
  - f. Legal description of the property with the source of the legal clearly indicated
  - g. Public Notice Packet
- 2) Preliminary Large Lot Subdivision Data (to be illustrated on the preliminary large lot plat):
  - a. Name, address and telephone number of the owner and the person with whom official contact should be made regarding the large lot subdivision
  - b. Preliminary large lot subdivision name
  - c. Location of the site by section, township, range

- d. A statement covering the number of lots, general proposed uses of the lots, method of water supply, and sanitary disposal of sewage
- e. Vicinity map which shall indicate the property to be divided
- f. North arrow, scale, and the boundary of the proposed large lot subdivision
- g. Boundaries of all blocks, the designation of lots, lot lines, and dimensions
- h. The location, names and widths of all existing and proposed streets, roads, and access easements within the proposed large lot subdivision and adjoining the large lot subdivision
- i. Approximate location of existing structures, septic tanks, drainfields, wells and other improvements located on the site and whether such improvements are proposed to remain on the property
- j. Illustrate all existing and/or proposed easements and/or divisions to be dedicated for any public purpose
- k. The approximate location, size, and dimension of all common areas on the site
- l. Approximate location of any natural features such as wooded areas, streams, drainage ways, and critical areas as defined in the Critical Areas Ordinance
- m. Topographic information at 10 foot intervals, if any slopes exceed 10%

**12.600.108 Distribution of Large Lot Subdivision**

If the Director determines that the application is complete and that the preliminary large lot subdivision contains sufficient elements and data to furnish a basis for its approval or disapproval, the Director shall assign a file number to the preliminary large lot subdivision and issue a receipt. Copies of the preliminary large lot subdivision shall be distributed to affected agencies by the Director.

**12.600.110 Agency Review**

The affected agencies shall review the preliminary large lot subdivision and within ten (10) days or less, furnish their recommendations and recommended conditions, if any, for approval or disapproval of the preliminary large lot subdivision to the Director. All required recommendations and recommended conditions of approval from agencies of jurisdiction shall be received in writing by the Director and shall be made part of the file. After completion of SEPA review and the required public notice has been given, the Director shall issue a written decision approving or denying the application with written findings of fact.

**12.600.112 Public Notice**

The Director shall provide or shall cause public notice to be given by the applicant. Such notice requires that within ten (10) days of the issuance of a determination of completeness, notice of the application shall be published in a newspaper of general circulation and mailed to the owner of each lot or parcel of property within four hundred (400) feet of the site. The applicant shall provide the Director with a list of such property owners and their addresses. Notice of the application shall also be posted on or around the land proposed to be subdivided in at least five conspicuous places designed to attract public awareness of the proposal. Signs for posting the site shall be provided by the Department Division. All notices shall include notification that no public hearing will be held on the application, unless requested by any person within twenty-one (21) calendar days of the publishing of the notice of application. A twenty (20) day comment period shall also be provided in the notice of application to allow any person twenty (20) days to comment on the proposal. All comments received shall be provided to the applicant, who has seven days from receipt of the comments to respond thereto. If a hearing is requested, public notice for such hearing shall be made pursuant the Procedural Administrative Rules to Implement ESHB-1724 adopted by the Board of County Commissioners.

**12.600.114 Public Hearing**

A public hearing shall be conducted if any of the following occurs:

- 1) Any person files a written request for a hearing with the Director within twenty-one (21) calendar days of the publishing of the notice of application in the newspaper.
- 2) Within twenty-one (21) days of the notice of application, the Director determines that a public hearing is necessary.

**12.600.116 Public Use and Interest**

The Director should determine, and make written findings, if appropriate provisions are made for, but not limited to, the public health, safety, and general welfare; and whether the public interest will be served by the large lot subdivision.

**12.600.118 Conformity With Applicable Land Use Controls**

Large lot subdivisions can be approved by the Director, if the Director makes a formal written finding of fact that the proposed large lot subdivision is in conformity with any applicable zoning ordinance, chapter 58.17 RCW, or other land use controls which are known to exist.

**12.600.120 Preliminary Approval**

Preliminary large lot subdivision approval shall automatically expire five (5) years from the date of approval except that preliminary approval of large lot subdivisions that occurs prior to December 31, 2014 shall automatically expire seven (7) years after preliminary approval is granted. An extension of time may be granted under the provisions of chapter 12.100 of this ordinance.

**12.600.122 General Design**

The design of large lot subdivisions shall conform to the requirements of all applicable county plans and standards, and any official control relating to land use which has been adopted to implement the Spokane County Comprehensive Plan. In addition:

- 1) The design, shape, size, and orientation of the lots should be appropriate for the use for which the divisions are intended, and the character of the area in which they are located.
- 2) Block dimensions should reflect regard for the needs of convenient access, public safety, emergency vehicle access, topography, road maintenance, and the provision of suitable sites for the land use planned.
- 3) Road alignments should be designed with appropriate consideration for existing and projected roads, anticipated traffic patterns, topographic and drainage conditions, public safety, and the proposed use of the land so divided.
- 4) Lots should not be divided by the boundary of any city, county, zoning designation, or public right-of-way.

**12.600.124 Roads**

Direct access to every lot shall be provided by a public or private road, or a private driveway easement.

Prior to filing of the final large lot plat, the applicant shall improve or make appropriate provisions for the construction of the public or private road(s) consistent with Spokane County Standards for Road and Sewer Construction, as amended.

#### **12.600.126 Sewage Disposal**

Provisions for adequate sewage disposal shall be in compliance with the Spokane County Sewer Ordinance, Comprehensive Wastewater Management Plan, and Spokane County, Spokane Regional Health District, Department of Health, Department of Ecology, or the other appropriate agencies' regulations.

#### **12.600.128 Water Supply**

Provisions for an adequate water supply and/or fire protection shall be in compliance with current Spokane County, Spokane Regional Health District, Department of Health or the other appropriate agencies' regulations.

#### **12.600.130 Stormwater Runoff**

Provisions for stormwater runoff shall be in compliance with Spokane County Guidelines for Stormwater Management.

#### **12.600.132 Utilities**

Provisions for the location of easements for electric, water, sewer, gas and similar utilities shall be made with the appropriate utility purveyor prior to final plat approval.

#### **12.600.134 Professional Land Surveyor**

The preparation of all preliminary large lot subdivisions shall be made by or under the supervision of a professional land surveyor. The preparation of all final large lot subdivisions shall be made by or under the supervision of a professional land surveyor who shall certify on the final large lot subdivision that it is a true and correct representation of the lands actually surveyed. A survey is required on all final large lot plats. All surveys shall comply with the Survey Recording Act (RCW 58.09), Survey and Land Descriptions (WAC-332-130), and Spokane County Standards for Road and Sewer Construction, as amended.

#### **12.600.136 Mapping Requirements**

The final plat map shall show:

- 1) a. all monuments found, set, reset, replaced or removed, describing their kind, size and location and giving other data relating thereto;  
b. bearing trees, corner accessories or witness monuments, basis of bearings, bearing and length of lines, scale of map and north arrow;  
c. any other data necessary for the intelligent interpretation of the various items and locations of the points, lines and areas shown;  
d. ties to adjoining surveys of record.
- 2) The allowable error of mathematical closure for the final plat map shall not exceed 1 foot in 80,000 feet or 0.04 foot, whichever is greater.
- 3) Bearings and lengths are to be shown for all lines; no ditto marks are to be used.
- 4) Arrows shall be used to show limits of bearings and distances whenever any chance of misinterpretation could exist.
- 5) Plat boundary and street monument lines having curves shall show radius, arc, central angle and tangent for each curve and radial bearings where curve is intersected by a non-tangent line. Spiral curves shall show chord bearing and length.
- 6) Lots along curves shall show arc length along curve and radial bearings at lot corners. If a curve table is provided, it shall show angle for each segment of the curve along each lot, arc length, tangent length, and radius. Radial bearings along lot lines will not be required.

- 7) All dimensions shall be shown in feet and hundredths of a foot. All bearings and angles shall be shown in degrees, minutes and seconds.
- 8) When elevations are needed on the final plat, permanent bench mark(s) shall be shown on the final plat in a location and on a datum plane approved by the County Public Works Director Engineer.
- 9) The final plat shall indicate the actual net area for each platted lot exclusive of the right-of-way. Lots one (1) acre and over shall be shown to the closest hundredth of an acre, and all other lots shall be shown in square feet.

#### **12.600.138 Monumentation**

Monumentation shall be established as required by Spokane County Standards for Road and Sewer Construction, as amended. In addition, every lot corner shall be marked with an iron rod or iron pipe marked in a permanent manner with the registration number of the professional land surveyor in charge of the survey. Each lot corner shall also be marked with a wooden stake.

#### **12.600.140 Final Large Lot Subdivision Submittal**

Submittal of final large lot subdivisions shall be made within five (5) years of the date of preliminary approval except that submittal of a large lot subdivision with preliminary approval that occurs prior to December 31, 2014 shall be made within seven (7) years of the date of preliminary approval. An extension of time may be granted under the provisions of chapter 12.100 of this ordinance.

#### **12.600.142 Contents of Final Plat**

- 1) The final plat shall be a legibly drawn, printed, or reproduced permanent map, twenty-four (24) by thirty-six (36) inches. A two (2) inch margin shall be provided on the left edge and a one-half (1/2) inch margin shall be provided at the other edges of the plat. If more than one sheet is required, each sheet shall show sheet numbers for the total sheets.
- 2) The plat name; location by section, township and range shall be shown.
- 3) The scale shall be fifty (50) or one hundred (100) feet to the inch. If approved by the Director, an appropriate scale may be used which does not exceed 1"=200', provided a 1"=400' reduced copy is also submitted.
- 4) A distinct wide boundary line shall delineate the boundary of the plat.
- 5) Each lot shall be numbered consecutively, and the size of each lot shall be indicated on the plat.
- 6) The location and widths of streets, alleys, rights-of-way, and easements within the plat and those existing immediately adjacent to the plat shall be shown. A statement dedicating any required right-of-way shall appear on the face of the final plat.
- 7) The location, size and dimensions of any common areas within the final plat, and a description of the purpose thereof.
- 8) The layout, lot and block numbers, and dimensions of all lots shall be shown.
- 9) Street names shall be shown.
- 10) Street addresses of each lot shall be shown.
- 11) Restrictions required as conditions of preliminary approval shall be shown.
- 12) All special statements of approval required from governmental agencies, including those pertaining to flood hazard areas, shorelines, and connections to state highways shall be shown.
- 13) Any roads not dedicated to the public shall be clearly marked and named per County standards.
- 14) A notarized certification by the owner(s) shall be provided dedicating streets, areas intended for other public use, and granting of easements for slope and utilities.

- 15) A certification signed by a licensed professional land surveyor registered in the State of Washington stating that, where required, the final plat was surveyed and prepared by himself/herself, or under his/her supervision, that plat is a true and correct representation of the subject land, and that monumentation has been established as required by County standards.
- 16) The following signatures of approval are required on the final plat:
  - a. Spokane County ~~Engineer~~ Public Works Director
  - b. Spokane County ~~Utilities~~ Environmental Services Director
  - c. Health Officer of the Spokane Regional Health District
  - d. Spokane County Building and Planning Director
  - e. Spokane County Treasurer
  - f. Spokane County Assessor

#### **12.600.144 Filing**

The original final plat shall be submitted to the Department Division of Engineering and Roads Building and Planning for review. ~~Once the County Engineer and Utilities Director have affixed their signature on the final short plat, it shall be submitted to the Director for obtaining the rest of the required signatures.~~ Once the final plat has been reviewed, approved and signed by the applicable agencies, the Director shall file the final plat with the County Auditor and the applicant shall be so notified of such filing. Fees to record the final plat must be submitted to the Director prior to filing.